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11 Attorneys for Defendants
12 SCIOS, INC. AND JOHNSON & JOHNSON

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION

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17 UNITED STATES *ex rel* STROM,

CASE NO. C 05-3004 CRB

18 Plaintiffs,

STIPULATION AND [PROPOSED] ORDER EXTENDING TIME FOR DEFENDANTS TO RESPOND TO THE COMPLAINT AND RESETTING CASE MANAGEMENT CONFERENCE

19 vs.

20 SSCIOS INC. and JOHNSON & JOHNSON,

21 Defendants.

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STIPULATION

WHEREAS the United States filed its Complaint in this matter on June 11, 2009; and
WHEREAS Defendants Scios, Inc. and Johnson & Johnson filed a motion to dismiss the
Complaint on September 10, 2009; and

WHEREAS the Court issued an Order denying Defendants' motion to dismiss on December 23, 2009;

WHEREAS the parties, through their undersigned counsel, have agreed to extend the deadline by which Defendants must respond to the Complaint in light of the intervening holidays;

WHEREAS the parties, through their undersigned counsel, have further agreed to continue the case management conference so as to permit the parties to meet and confer and submit a case-management statement that reflects Defendants' response to the Complaint:

12 The undersigned counsel hereby stipulate and agree as follows:

(1) Defendants shall respond to the Complaint on or before January 15, 2010.

16 (3) The parties' case management statement shall be due on or before February 12, 2010.

17 || IT IS SO STIPULATED.

18 | Dated: January 6 , 2010

QUINN EMANUEL URQUHART OLIVER &
HEDGES, LLP

By /s/ Christopher Tayback
CHRISTOPHER TAYBACK

Attorneys for Defendants Scios and Johnson & Johnson

24 | Dated: January 6 , 2010

By /s/ Sara Winslow

SARA WINSLOW
JULIE A. ARBUCKLE
Assistant United States Attorneys

1 Dated: January 6, 2010

By /s/ Renee S. Orleans

2 JOYCE R. BRENDA
3 PATRICIA R. DAVIS
RENÉE S. ORLEANS
Civil Division, U.S. Department of Justice

4 Dated: January 6, 2010

5 NOLAN & AUERBACH, P.A.
LAW OFFICES OF MATTHEW PAVONE, Esq.

6 By /s/ Marcella Auerbach

7 MARCELLA AUERBACH

8 Attorneys for Relator Joe Strom

10 **ORDER**

11 Based upon the stipulation of the parties, and for good cause shown, it is hereby ordered as
12 follows:

- 13 (1) Defendants shall respond to the Complaint on or before January 15, 2010.
14 (2) The case management conference currently scheduled for February 5, 2010 is hereby
15 continued to February 19, 2010 at 8:30 a.m.
16 (3) The parties' case management statement shall be filed on or before February 12, 2010.

17 IT IS SO ORDERED.

18 Dated: January 8, 2010

